

† जो चीनी-बर्बंग के द्वारा उपकरण को या उसके पूर्व चीनी का विनिर्माण प्रारम्भ करके उस उपकरण प्रर्थात्¹ के संबंध में चीनी के विनिर्माण की श्रौत अवधि के अवसान के पूर्व चीनी का विनिर्माण बढ़ कर दिया है।

† की² तारीख को, उक्त उपकरण के प्रयोजनों के लिए उक्त तारीख के पूर्व अब किए गए गन्ने की देय रकम की बकाया, ठीक पूर्वार्थी चीनी-बर्बंग के द्वारा या उसके द्वारा अब किए गए गन्ने की कुल कीमत के दस प्रतिशत से कमिह है, जब कि कुल कीमत³ उपर्यूप है;

ऐन्हीं सरकार का यह घोषणा हो रहा है कि चीनी उपकरण (प्रबन्ध प्रणाली) अध्यादेश, 1978 (1978 का 5) के प्रयोजनों के लिए उक्त चीनी उपकरण का प्रभावी रूप से कार्य करते रहना आवश्यक है;

अब, ग्रन्ति, उक्त प्रधावेण की घारा 3 की उपधारा (1) द्वारा प्रदत्त गक्षियों का प्रयोग करते हुए केन्द्रीय सरकार⁴, चीनी उपकरण के खाली या प्रबन्धक को सूचना जारी करती है और उससे यह अपेक्षा करती है कि वह इस सूचना की प्राप्ति की तारीख से⁵ दिन वे भीतर उन परिस्थितियों के बारे में लिखित रिपोर्ट दे जिनमें

- @ (क) उक्त चीनी उपकरण उक्त तारीख को या उससे पूर्व चीनी का विनिर्माण प्रारम्भ करने में असफल रहा है,
- @ (ख) उक्त चीनी उपकरण ने उस उपकरण के संबंध में चीनी के विनिर्माण की श्रौत अवधि के अवसान के पूर्व चीनी का विनिर्माण बढ़ कर दिया है;
- @ (ग) उक्त चीनी उपकरण गन्ने की उक्त देय रकम की बकाया छुकता करने में असफल रहा है, और यह कारण बताए कि उक्त चीनी उपकरण का प्रबन्ध केन्द्रीय सरकार द्वारा उक्त अध्यादेश के अधीन उसी न अपने हाथों में ले लिया जाए।

स्पष्टीकरण—इस सूचना के प्रयोजनों के लिए—

- (1) "चीनी के विनिर्माण की श्रौत अवधि" पद का अर्थ उक्त अध्यादेश की घारा 3 की उपधारा (6) के अण्ड (ग) के उपबंधों के अनुसार लगाया जाएगा;
- (2) "गन्ने की देय रकम की बकाया" पद का अर्थ उक्त अध्यादेश की घारा 3 की उपधारा (6) के अण्ड (क) और (ख) के उपबंधों के अनुसार लगाया जाएगा।

टिप्पणी—रिपोर्ट की एक प्रति उसी समय उस राज्य के गन्ना आयुक्त को, जिस राज्य में चीनी उपकरण स्थित है, सम्बोध यदि कोई गन्ना आयुक्त नहीं है तो, उस राज्य की चीनी विवेक को रजिस्ट्री डाक द्वारा भेजी जानी चाहिए और एक प्रत्यं प्राप्त उसी राज्य की सरकार के ऐसे सचिव को, जो प्रशासनिक रूप से इस से संबंधित है, रजिस्ट्री डाक द्वारा भेजी जानी चाहिए।

(मुद्रा)

सेवा में,

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(वो प्रतियों में)

¹ जो लागू नहीं होता हो उसे काट दीजिए।

² जो लागू नहीं होता हो उसे काट दीजिए।

³ जो लागू नहीं होता हो उसे काट दीजिए।

MINISTRY OF AGRICULTURE AND IRRIGATION

(Department of Food)

NOTIFICATION

New Delhi, the 13th November, 1978

G.S.R. 552 (E).—In exercise of the powers conferred by section 20 read with sub-section (1) of section 3, of the Sugar Undertakings (taking over of Management) Ordinance, 1978 (5 of 1978), the Central Government hereby makes the following rules, namely :—

1. Short title.—These rules may be called the Sugar Undertakings (Taking Over of Management) Rules, 1978.

2. Definition.—In these rules, unless the context otherwise requires—

(a) "Ordinance" means the Sugar Undertakings (Taking Over of Management) Ordinance, 1978;

(b) "section" means a section of the Ordinance.

3. Form of notice and manner of its service.—(1) The notice to be issued by the Central Government under sub-section (1) of section 3 to the owner or the manager of a sugar undertaking shall be in the form appended to these rules.

(2) The notice shall be caused to be delivered in duplicate, to such owner or manager either by registered post or in person or by leaving it at the registered office or the principal place of business of the sugar undertaking.

(3) Such owner or manager shall, within the time specified in the notice issued to him under sub-section (1) of section 3, send his report to the Central Government by registered post or in person and in addition send simultaneously by registered post one copy of such report to the Cane Commissioner of the State in which the sugar undertaking is situated or, if there is no Cane Commissioner, to the Director of Sugar in that State and another copy to the Secretary to the Government of that State administratively concerned with sugarcane.

THE FORM

(See Rule 3)

NOTICE UNDER SUB-SECTION (1) OF SECTION 3 OF THE SUGAR UNDERTAKINGS (TAKING OVER OF MANAGEMENT) ORDINANCE, 1978 (5 OF 1978) GOVT. OF INDIA, NO.

MINISTRY OF AGRICULTURE AND IRRIGATION

(Department of Food)

....New Delhi,

Whereas the Central Government is satisfied that the

(name of sugar undertakings)
has in the sugar year _____ failed to commence the manufacture of sugar on or before _____ (the appointed day in respect of the said sugar year,
having started the manufacture of sugar on or before _____ during the sugar year _____ has ceased to manufacture sugar before the expiry of the average period of manufacture of sugar in relation to that undertaking, namely, _____

"as on _____ has, in relation to the cane purchased before that date for the purposes of the said undertaking, arrears of cane dues to the extent of more than ten per cent of the total price of the cane purchased by it during the immediately preceding sugar year, the total price being rupees _____;

And whereas the Central Government is satisfied that the effective functioning of the said sugar undertaking is necessary for the purposes of the Sugar Undertakings (Taking Over of Management) Ordinance, 1978 (5 of 1978);

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the said Ordinance, the Central Government hereby issues a notice to the owner or the manager of the _____ sugar undertaking calling upon him to report in writing within _____ days from the date of receipt of this notice the circumstances under which

(a) the said sugar undertakings has failed to commence the manufacture of sugar on or before the said date,

- @ (b) the said sugar undertaking has ceased to manufacture sugar before the expiry of the average period of manufacture of sugar in relation to that undertaking, or
- @ (c) the said sugar undertaking has failed to clear the said arrears of cane dues, and to show cause as to why the management of the said sugar undertaking should not be taken over by the Central Government under the said Ordinance.

Explanation :—For the purposes of this notice —

- (i) the expression "average period of manufacture of sugar" shall be construed in accordance with the provision of clause (c) of sub-section (6) of section 3 of the said Ordinance ;
- (ii) the expression "arrears of cane dues" shall be construed in accordance with the provisions of clauses (a) and (b) of sub-section (6) of section 3 of the said Ordinance.

Note.—A copy of the report should also be sent simultaneously by registered post to the Cane Commissioner of the State in which the sugar undertaking is situated or, if there is no Cane Commissioner, to the Director of Sugar in that State and another copy by registered post to the Secretary to the Government of that State administratively concerned with sugarcane.

(SEAL)

To _____

(in duplicate);

*Strike out whichever is not applicable.

†Strike out whichever is not applicable.

‡Strike out whichever is not applicable.

[No. 6-5/78-Sugar Desk I]

C. N. RAGHAVAN, Jt. Secy.

